

REMARKS

Claims 1, 5, and 9 have been amended. The amendments to the claims further define the invention. Support for the amendments can be found on page 3. Attached hereto is a marked-up version of the changes made to the Claims by the above amendments. The attached page is titled "Version with markings to show changes made".

Rejection under 35 USC 102(b)/103(a)

Claims 1- 9 are rejected under 35 USC 102(b) as being anticipated by or, in the alternative, under 103(a) as obvious over WO 95/25757. The WO cited patent discloses a polymerization process of polypropylene. Examples 40 to 43 are prepared with an unbridged catalyst in accordance with catalyst D from Example 6. This catalyst exists in two different isomer, i.e. racemic-like and meso-like, in analogy to the drawing on page 12. Page 12, lines 35-36 state that polymerization with the rac isomer yields atactic polypropylene. In examples 40 to 43, the catalyst necessarily contains a certain proportion of the catalyst in racemic-like configuration. Rotation of the catalyst between the isomers is deliberately slowed down by the provision of large ligands (page 12, lines 7-10). The catalyst, therefore, inevitably contains a proportion of the catalyst that remains in the rac configuration throughout the polymerization. Since the rac isomer leads to the polymerization of atactic polypropylene, the resulting polymer of examples 40 to 43 inevitably contains a fraction of atactic polypropylene and is thus fractionable.

In contrast, the polymer of Claim 1 of the present invention is a homopolymer. As now clearly stated in the claims, the homopolymer comprises only one phase of molecules all of which exhibit a similar configuration. This excludes mixtures of atactic and isotactic polymers where the two phases have polymerized simultaneously. Therefore, Applicants assert that the claims, as amended, are not anticipated by WO 95/25757. Applicants also assert that one having ordinary skill in the art would not have been motivated to produce polyolefinic homopolymer of the present invention based on the teachings in the WO cited patent.

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CONCLUSION

Applicants have made an earnest effort to distinguish the claimed invention from the applied document and place the Claims in condition for allowance. Reconsideration of this application, in view of the amendments and remarks provided, and allowance of Claims 1-9 as amended are requested. In the event that issues remain prior to allowance of the pending claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A polymeric foam material characterized in that said polymeric foam material comprises a polyolefinic homopolymer having one phase of molecules all of which exhibit a similar stereochemical configuration and having an isotacticity of less than 60% of [mmm] pentad concentration.

5. (Amended) A foam [form] material of the present invention according to Claim 1 wherein said foam material is oil absorbent.

9. (Amended) A method for manufacturing a polymeric foam material comprising a step of processing a polymeric material, said step of processing selected from the group of inert gas expansion, evaporated solvent expansion, reactive reagent gas expansion, high internal phase emulsion, bead expansion, and combinations thereof, characterized in that said polymeric material comprises a polyolefinic homopolymer having one phase of molecules all of which exhibit a similar stereochemical configuration and having an isotacticity of less than 60% of [mmm] pentad concentration.